

Application No.: 10/747,993

Docket No.: 66046-0006

REMARKS

Applicant has carefully reviewed the Office Action mailed December 13, 2004, and thanks Examiner Pang for his detailed review of the pending claims and allowance of claims 10 and 20. Additionally, the Examiner has indicated that Claims 4 and 14 would be allowable if re-written in independent form. Applicant also thanks Examiner Pang for the courtesy of a phone interview on February 23, 2005. In response to the Office Action, Applicant has amended claims 1 and 11, and canceled claims 4 and 13. By way of this amendment, no new matter has been added. Accordingly, claims 1-3, 5-12, and 14-20 remain pending in this application. Applicant respectfully requests reconsideration of the present application in view of the above amendment and the following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3, 5-9, 11-13, and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by *Pels* '247.

Applicants note that independent claim 1 has been amended to include the limitation of canceled claim 4 that the powertrain system include "a second input shaft clutch positioned between the first input shaft and the second input shaft to selectively fix rotation of the first and second input shafts." As indicated by the Examiner, claim 1 is now allowable with all of the limitations of canceled claim 4 incorporated therein.

Independent claim 11 has been amended to include the limitation "a first input shaft clutch positioned between the first input shaft and the rotational output member to selectively fix rotation of the rotational output member with the first input shaft, wherein said first input shaft clutch is not provided for selecting a gear ratio of said change-gear transmission." With this amendment, Applicant has incorporated the limitation of canceled claim 13 into independent claim 11. In support of the newly added limitations of claim 11, Applicant directs the Examiner's attention to paragraph [0020] and FIG. 2 to illustrate that clutch 92 is not provided for selecting a gear-change ratio. In contrast, the transmission of *Pels* connects the first input shaft 2a with the output shaft 3 only through a series of gears and gear-change ratio clutches. (See *Pels*, FIGS. 1, 2, 2a, and 2d-10. Accordingly, claim 11 is allowable and withdrawal of the rejection of independent claim 11 is respectfully requested.

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Dependent claims 2, 3, 5-9, 12, and 14-19 teach independently patentable subject matter, although they are also patentable merely by being dependent on an allowable base claim. As an example, claim 15 recites a hydraulic motor, which is not taught in Pels.

In view of the above amendment and remarks, the pending application is in condition for allowance. If, however, there are any outstanding issues that can be resolved by telephone conference, the Examiner is earnestly encouraged to telephone the undersigned representative.

It is believed that any additional fees due with respect to this paper have already been identified in any transmittal accompanying this paper. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge our Deposit Account No. 18-0013, under Order No. 66046-0006 from which the undersigned is authorized to draw.

Dated: March 8, 2005

Respectfully submitted,

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